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MAR 22 2004  
PATENT & TRADEMARK OFFICE

**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
**16877**

In Re Application Of: **Teiichiro Nishizaka**

Serial No.  
**10/632,368**

Filing Date  
**Aug. 1, 2003**

Examiner  
**Long Pham**

Group Art Unit  
**2814**

Title: **NON-VOLATILE SEMICONDUCTOR MEMORY DEVICE, METHOD FOR  
MANUFACTURING SAME AND METHOD FOR CONTROLLING SAME**

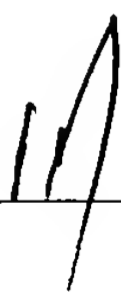
**TO THE COMMISSIONER FOR PATENTS:**

Transmitted herewith is:

**Response to Requirement for Restriction**

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-1013/SSMP** as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.



*Signature*

Dated: **March 18, 2004**

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**SCULLY, SCOTT, MURPHY & PRESSER**  
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**PJE:ahs**

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*Signature of Person Mailing Correspondence*

**Paul J. Esatto, Jr.**

*Typed or Printed Name of Person Mailing Correspondence*



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant:</b>	<b>Teiichiro Nishizaka</b>	<b>Examiner:</b>	<b>Pham Long</b>
<b>Serial No.:</b>	<b>10/632,368</b>	<b>Unit:</b>	<b>2814</b>
<b>Filed:</b>	<b>Aug. 1, 2003</b>	<b>Docket:</b>	<b>16877</b>
<b>For:</b>	<b>NON-VOLATILE SEMICONDUCTOR MEMORY DEVICE, METHOD FOR MANUFACTURING SAME AND METHOD FOR CONTROLLING SAME</b>	<b>Confirm. No.</b>	<b>4000</b>
		<b>Dated:</b>	<b>March 18, 2004</b>

**Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450**

**RESPONSE TO REQUIREMENT FOR RESTRICTION**

Sir:

Pursuant to the Restriction Requirement imposed in the Official Action dated February 19, 2004, applicant provisionally elects the claims of Group II, i.e., Claims 1-20 and 30-33, for continued prosecution herein.


Claims 1-33 are present in the above-captioned application and have been subjected to restriction under 35 U.S.C. §121. Specifically, the Official Action avers that the following inventions are present in the claims:

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on March 18, 2004.

Dated: March 18, 2004

  
\_\_\_\_\_  
Paul J. Esatto, Jr.

Group I, Claims 21-29, drawn to a method of making semiconductor devices,  
classified in class 438, subclass 275, and

Group II, Claims 1-20 and Claims 30-33, drawn to a semiconductor  
device, classified in class 257, subclass 500.

It is the Examiner's position that the inventions listed as Groups I and II are distinct  
from each other.

In response to the Examiner's requirement for restriction, applicant provisionally elects  
to prosecute the subject matter of Group II, namely, Claims 1-20 and 30-33. However, applicant  
reserves the right under 35 U.S.C. §121 to file one or more divisional applications directed to the  
non-elected claims in this application.

In view of the foregoing, an examination on the merits of the elected claims, at an  
early date, is earnestly solicited.

Respectfully submitted,



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